

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

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UNITED STATES OF AMERICA,

Plaintiff,

vs.

TIMOTHY MORTENSEN,

Defendant.

2:11-cr-0095-RLH-RJJ

ORDER

(Motion to Extend Date-#46)

Before the Court is Defendant Mortensen's Pro Se Motion to Extend Date of Surrender to U.S. Marshals and for Recommendation (#46, filed July 3, 2012). The Court has considered the Government's Response (#48, filed July 5, 2012) and Defendant's "Answer to Government's Objection" (#49, filed July 19, 2012).

Defendant Mortensen, who was sentenced on June 14, 2012, to 120 months custody for Receipt of Child Pornography, was permitted to self-surrender on August 17, 2012. He brings this Motion seeking an additional 90 days to surrender because of the need to close his business and move his wife (who is now suspended without pay pending dismissal for the Clark County School District) to Colorado.

Mortensen, who, at his request, has become his own attorney in the appeal of this matter, contends that he did not realize how long his sentence would be and thought his wife and employees would be able to continue to operate his business in his absence. He now finds that is not the case and requests additional time to get his affairs in order for his wife before he begins his 10-

1 year sentence. He has been compliant with the conditions of his release pending his self-surrender.
2 He also requests the Court to make a recommendation that he be permitted to serve his sentence in or
3 near Denver or Colorado Springs, Colorado.

4 The Government urges the Court to deny the Motion on the grounds that Defendant
5 has not proffered compelling reasons to delay his self-surrender. The Court finds otherwise.

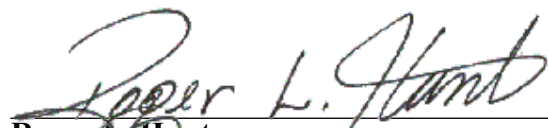
6 A recommendation from the Court regarding where he would like to serve his sentence
7 needed to be made at the time of sentencing. Now, approximately a month and a half after sentenc-
8 ing, is too late. The designation process by the Bureau of Prisons is undoubtedly well underway and
9 the Court declines to delay or complicate that process.

10 IT IS THEREFORE ORDERED that Defendant Timothy Mortensen's surrender date
11 is delayed and he shall surrender at or before noon, Friday, November 16, 2012.

12 IT IS FURTHER ORDERED that his request for a recommendation is denied.

13 IT IS FURTHER ORDERED that a copy of this Order be sent to the appropriate
14 offices of the U.S. Marshal and Bureau of Prisons.

15 Dated: July 20, 2012.

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18 **Roger L. Hunt**
19 **United States District Judge**
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